



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,724	04/05/2001	Robert N. Higbee	CDUS.0005	6060

7590 08/13/2004

Timothy F. Loomis
Law Offices of Timothy F. Loomis
2932 Hagen Drive
Plano, TX 75025

EXAMINER

CHOWDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/826,724	HIGBEE, ROBERT	
	Examiner	Art Unit	
	Azizul Choudhury	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 April 2001.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-25 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 05 April 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 9/30/2002.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

Detailed Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Brien et al (US Pat No: US006351776B1), hereafter referred to as O'Brien.

1. With regards to claim 1, O'Brien teaches a method of delivering a document to an intended recipient comprising the steps of: storing said document on a storage medium; providing a website accessible through an Internet; when said recipient accesses said website, verifying said recipient's identity; displaying to said recipient which documents stored in said storage medium are available for said recipient to receive; providing said recipient with a selected one of said documents available for said recipient to receive (O'Brien teaches a design for an online database system (column 4, lines 13-16, O'Brien). The design allows for a remote user to access, write, and read files on the database through the Internet. Browsers are used in the design to enable an interface for the remote user

(column 4, lines 32-33, O'Brien) hence, website means must be present within the design as claimed. In addition, the design allows for authorization means as well (column 4, lines 1-6, O'Brien)).

2. With regards to claim 2, O'Brien teaches a method of delivering a document wherein said providing step comprises displaying said document to said recipient (Displaying means are inherent in such a design and are present within O'Brien's design (column 19, lines 28-63, O'Brien). In addition, Figure 14 illustrates a view button, further indicating the viewing means in O'Brien's design).
3. With regards to claim 3, O'Brien teaches a method of delivering a document wherein said providing step comprises permitting said recipient to print said selected document at recipient's location (O'Brien's design allows for the retrieval of data (column 4, lines 13-16, O'Brien). In addition, the design uses computers on the remote (client) side and on the host (database) side (Figure 1, O'Brien). It is inherent that in a design with the presence of computers, that printing means are present. Furthermore, Figure 14 illustrates a print button, further indicating the printing means in O'Brien's design).
4. With regards to claim 4, O'Brien teaches a method of delivering a document wherein said providing step comprises downloading said selected document to said recipient (O'Brien's design allows for the retrieval of data (column 4, lines

13-16, O'Brien). The retrieval process occurs through a network such as the Internet. Hence, the claimed downloading process must be present within O'Brien's design since data is retrieved in networks through downloading. In addition, Figure 14 illustrates a download button, further indicating downloading means in O'Brien's design).

5. With regards to claim 5, O'Brien teaches a method of delivering a document wherein said displaying step comprises displaying a list of hyperlinks, said hyperlinks representing documents available on said storage medium to said recipient (O'Brien's design allows for an online database with the use of browsers to enable access to files (column 4, lines 13-33, O'Brien)). In addition, the design uses JAVA, XML and HTML (column 19, lines 28-63, O'Brien) and uses metadata as well (column 4, lines 25-28, O'Brien). The data within O'Brien's design is hence accessed through websites and websites have links as claimed. In addition Figure 13, illustrates a website interface for the design with links as claimed).

6. With regards to claim 6, O'Brien teaches a method of delivering a document further comprising the step of permitting said recipient to rotate said document being displayed (O'Brien's design allows for the data downloaded to manipulated and controlled (column 4, lines 29-31, O'Brien)). In addition, O'Brien discloses that means are present to render views (column 19, lines 28-63, O'Brien)).

7. With regards to claim 7, O'Brien teaches a method of delivering a document further comprising the step of permitting said recipient to magnify said document being displayed (O'Brien's design allows for the data downloaded to manipulated and controlled (column 4, lines 29-31, O'Brien). In addition, O'Brien discloses that means are present to render views (column 19, lines 28-63, O'Brien)).
8. With regards to claim 8, O'Brien teaches a method of delivering a document further comprising the steps of: associating a notes file with said document; permitting said recipient to switch views between said selected document and said notes file; permitting said recipient to add information to said notes file; making said notes file available to a sender of said document (O'Brien's design allows for metadata (data about each file) to be generated and associated with it's respective file (document) (column 3, lines 22-37, O'Brien). The metadata is viewed as being equivalent to the claimed notes).
9. With regards to claim 9, O'Brien teaches a method of delivering a document wherein said sender may create said notes file when sending said document (O'Brien's design allows for the creation of metadata for each file (document) (column 3, lines 22-37, O'Brien). No limitation is placed as to when the metadata may be created hence, the claimed creation when sending is acceptable within O'Brien's design).

10. With regards to claim 10, O'Brien teaches a method of delivering a document wherein said storing said document step comprises scanning a paper document into a computer system, so as to create an image of said paper document (The claimed image format is simply a file type. O'Brien's design allows for all file formats that are acceptable for computers (column 4, lines 16-20, O'Brien)).
11. With regards to claim 11, O'Brien teaches a method of delivering a document wherein said storing said document step further comprises scanning said paper document at a site remote from said storage medium and electronically transmitting said image to said storage medium (The claimed image format is simply a file type. O'Brien's design allows for all file formats that are acceptable for computers (column 4, lines 16-20, O'Brien). In addition, O'Brien's design allows for files to be saved and retrieved on a storage (database) remote from the user's location (column 4, lines 13-25)).
12. With regards to claim 12, O'Brien teaches a method of delivering a document wherein said site remote from said storage medium is said sender's premises (O'Brien's design allows for files to be saved and retrieved on a storage (database) remote from the user's location (column 4, lines 13-25). Networks such as the Internet are used to simply provide access for a user to access a

central storage so that the files may be accessed from any network enabled machine through a browser).

13. With regards to claim 13, O'Brien teaches a method of delivering a document wherein said storing said document step further comprises scanning said paper document into said storage medium at a site collocated with said storage medium (O'Brien's design allows for all file formats that are acceptable for computers (column 4, lines 16-20, O'Brien). In addition, Figure 14 illustrates that a share button is present as well as a public folder, further indicating that other people (such as those close in proximity to the database storage mediums), are able to load files (such scanned image files) as claimed).

14. With regards to claim 14, O'Brien teaches a method of delivering a document wherein said storing said document step comprises electronically transferring said document to said storage medium (O'Brien's design uses networks such as the Internet to send and retrieve data to and from the database (column 4, lines 13-25, O'Brien)).

15. With regards to claim 15, O'Brien teaches a method of delivering a document further comprising the step of converting a format of said document to a format selected for electronic documents to be stored on said storage medium

(O'Brien's design allows data to be converted from one format (metadata) to another (XML) (column 11, lines 45-54, O'Brien)).

16. With regards to claim 16, O'Brien teaches a method of delivering a document further comprising the step of notifying said recipient that said document is available to be delivered (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350, O'Brien). No limitation is placed on the form of the notification).

17. With regards to claim 17, O'Brien teaches a method of delivering a document wherein said notification comprises an email (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350, O'Brien). No limitation is placed on the form of the notification hence; the claimed method is acceptable within O'Brien's design).

18. With regards to claim 18, O'Brien teaches a method of delivering a document wherein said notification comprises a page (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350, O'Brien). No limitation is placed on the form of the notification hence; the claimed method is acceptable within O'Brien's design).

19. With regards to claim 19, O'Brien teaches a method of delivering a document wherein said notification comprises a voice mail (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350, O'Brien). No limitation is placed on the form of the notification hence; the claimed method is acceptable within O'Brien's design).

20. With regards to claim 20, O'Brien teaches a method of delivering a document wherein said notification comprises a phone call (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350, O'Brien). No limitation is placed on the form of the notification hence; the claimed method is acceptable within O'Brien's design).

21. With regards to claim 21, O'Brien teaches a method of delivering a document further comprising the step of notifying said recipient a second time that said document is available to be delivered if said recipient has not accessed said document within a predetermined time period (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350, O'Brien). No limitation is placed on the form of the notification or the number of notifications).

22. With regards to claim 22, O'Brien teaches a method of delivering a document wherein said second notification is by a different method than said notification (O'Brien's design allows for notification means (Figure 3-1, blocks 344 and 350,

O'Brien). No limitation is placed on the form of the notification or the number of notifications. Hence, different notification means are permitted).

23. With regards to claim 23, O'Brien teaches a method of delivering a document wherein said storage medium comprises a database (O'Brien's design uses remote storage (such as databases) (column 3, lines 22-37, O'Brien)).

24. With regards to claim 24, O'Brien teaches a method of delivering a document wherein said storage medium comprises a RAID array (O'Brien's design uses servers and databases (column 3, lines 22-37, O'Brien)). No limitation is placed on the architecture of the storage and since RAID is a very common format for storage, it is acceptable storage architecture in O'Brien's design).

25. With regards to claim 25, O'Brien teaches a method of delivering a document further comprising a step of storing a record of delivery of said document (Figure 14 illustrates how the records (data and time) of files are maintained on the screen. Hence means for the claimed steps are present within O'Brien's design).

Remarks

After careful review of the application, the examiner failed to note any truly unique traits within the design claimed. The claims provided are seen as being general and would benefit from the inclusion of more detailed specifications. The claimed

design, as currently claimed, describes a web-based online storage/database system. A number of arts are available that defeat the current claims (US Pat No: US005319745A and US005987454A are two just such prior arts).

Should the applicants have any further details regarding their design that would present their design as being truly unique over the prior art provided by the examiner, they are encouraged to amend the specifications and claims to reflect such changes.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

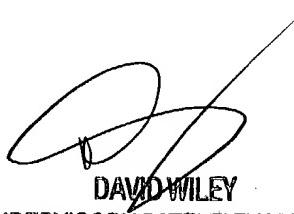
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/826,724
Art Unit: 2143

Page 12

AC



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100